

Attorney Docket No. NC17054

Remarks

The Applicant would like to thank the Examiner for telephonically informing the Agent for the Applicant on June 15, 2005, that this day is the deadline for submission of a response to the Office Action dated 15th December, 2004. The Applicant would like to note that the Office Action was not received at the address of record, and neither was it present in the Agent's application paper file record. This response, to the Office Action dated December 15, 2004, is based on retrieval of the Office Action from PAIR.

This response is being timely filed, along with a petition for a 3-month extension of time.

With reference to the Office Action, the Examiner stated the following:

- Correction of the cross-reference to the application cited in the specification was required.
- Claims 4, 12 and 13 were objected to and corrections were required.
- Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Millar (GB 2 292 047) in view of Gomez et al. (U.S. 5,196,842). Claims 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Millar (GB 2 292 047) in view of Gomez et al. (U.S. 5,196,842) and further in view of Applicant Admitted Prior Art (APA).

As required by the Examiner, the Applicant has corrected the cross- reference cited in the specification to include the issued patent number of the parent application. The replacement paragraph is provided on page 2 of this response.

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As required by the Examiner, the Applicant has corrected the informalities present in claims 4, 12 and 13. Amended claims 4, 12 and 13 can be found in the section Amendment to the Claims: which begins on page 3 of this response.

The Applicant respectfully requests the Examiner to reconsider the rejection of claims 1-21 in view of the amendments to the claims and the remarks presented herein. The Applicant also requests the Examiner to take into consideration the fact that the Applicant had but a few hours, following the telephonic notification by the Examiner to file a timely response to the Office Action.

With reference to claims 1 and 8, the Examiner states (on page 3, item 6 of the Office Action) that Millar teaches storing system/network independent features on the mobile station. However, the Applicant, was unable to find either an explicit or implicit teaching in Millar concerning, "system/network independent features". Millar appears to teach that the mobile station includes software modules for implementing particular service feature software and not system/network independent features.

Several statements in the Millar reference indicate that the particular service feature software refers to System/Network dependent features. The following references from Millar illustrate it:

- The invention relates to operating particular features of different systems on one mobile station (Millar, page 1, lines 8-9).
- Supplementary features may be implemented differently among service providers. A mobile station may be programmed for a particular service provider, and therefore implements features for that service provider. (Millar, page 1, line 33-35, page 2, lines 1-2).

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- A, and A', are different implementations of the same service features in GSM networks 12 and 16 respectively. Modules 30 and 31, in the mobile station, implement services A and A'. (Millar, Figure 2 and 3, page 3, lines 27-37, page 4, lines 3-4).
- Both implementations of particular service features must be resident on the mobile station since two service networks have fundamental differences in the way they implement certain supplementary features in a communications system. The mobile station has to configure its service and feature specific software for the service network in use (Millar, , page 3, lines 17-23).

The Applicant respectfully requests reconsideration of the rejection, and the allowance of claims 1 and claim 8. Further, since claims 2-7 and 9-13 depend from claims 1 and 8 respectively, reconsideration and allowance of these claims is respectfully requested.

Claims 14-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Millar (GB 2 292 047) in view of Gomez et al. (U.S. 5,196,842) and further in view of Applicant Admitted Prior Art (APA). Specifically, the Examiner has indicated that APA teaches wake-up graphics, hiding or displaying menu items, subscriber identity module lock settings, encryption and decryption features (instant specification, page 1, lines 19-21). However, the Applicant respectfully rejects the assertion concerning APA and what it teaches.

Lines 19-21 on page 1 of the instant specification, describes the following: Service provider A and service provider B may each want a different variant of one or more basic control features on the mobile phone. For instance, Service provider A may want a certain variant of wake-up graphics on the mobile phone, and service provider B may want a different variant of the

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wake-up graphics feature on the mobile phone. The Applicant does not teach wake-up graphics, hiding or displaying menu items, subscriber identity module lock settings, encryption and decryption features, either explicitly or implicitly. Nor do these lines teach that the mobile phones contain configuration data that defines an operating configuration for any of the aforementioned features.

What the instant application DOES teach is that the mobile phone stores a plurality of sets of configuration data where each set of configuration data defines an operating configuration for wake-up graphics, hiding or displaying menu items, subscriber identity module lock settings, encryption and decryption features. (instant specification, page 5 lines 1-12).

The Applicant respectfully requests reconsideration of the rejection of claims 14-21 and their allowance in view of the aforementioned remarks.

The Applicant requests the Examiner to grant allowance of the claims and invites the Examiner to contact the undersigned in order to expedite the prosecution of the application.

A 3-month extension of time has been requested and paid for. Should be any additional fees be due, the USPTO is hereby authorized to charge it to deposit account 50-0270.

Respectfully submitted,

Date: June 15th, 2005

By: 

Arjun Krishnan, Reg. No. 55,347

972-894-4895/ Fax 972-894-5619